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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMUSEMENT INDUSTRY, INC., dba WESTLAND
INDUSTRIES; PRACTICAL FINANCE CO., INC.,

Plaintiffs,

- against -

MOSES STERN, aka MARK STERN; JOSHUA SAFRIN,
FIRST REPUBLIC GROUP REALTY LLC, EPHRAIM
FRENKEL, LAND TITLE ASSOCIATES ESCROW,

Defendants.

JOSHUA SAFRIN,

Defendant/Third Party-Crossclaim-
Counterclaim-Plaintiff,

- against -

STEPHEN FRIEDMAN, STEVEN ALEVY, BUCHANAN
INGERSOLL & ROONEY, P.C., BANKERS CAPITAL
REALTY ADVISORS LLC, and FIRST REPUBLIC
GROUP CORP.,

Third Party Defendants,

- and -

MOSES STERN, aka MARK STERN, FIRST REPUBLIC
GROUP REALTY LLC, EPHRAIM FRENKEL, and
LAND TITLE ASSOCIATES ESCROW,

Defendants/Crossclaim Defendants,

- and -

AMUSEMENT INDUSTRY, INC., dba WESTLAND
INDUSTRIES, PRACTICAL FINANCE CO., INC.,

Plaintiffs/Counterclaim Defendants.

No. 07 Civ. 11586 (LAK)(GWG)

STIPULATION

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/13/08

WHEREAS on May 1, 2008, Defendant/Third Party Plaintiff Joshua Safrin
("Safrin") filed a Third Party Complaint, which appears on the Court's docket as entry
number 65; and

WHEREAS, on May 21, 2008, Defendants/Crossclaim Defendants Mark Stern and First Republic Group Realty LLC made a motion to dismiss the Third Party Complaint, which appears on the Court's docket as entries 76 and 77; and

WHEREAS, on May 22, 2008, Defendants/Crossclaim Defendants Ephraim Frenkel and Land Title Associates Escrow made a motion to dismiss the Third Party Complaint, which appears on the Court's docket as entries 79 and 80; and

WHEREAS, on May 29, 2008, Safrin filed an Amended Third Party Complaint (the "Amended Third Party Complaint") which appears on the Court's docket as entry 93; and

WHEREAS, the Amended Third Party Complaint supersedes the Third Party Complaint; and

WHEREAS, on June 9, 2008, Defendants/Crossclaim Defendants Mark Stern and First Republic Group LLC made a motion to dismiss the Amended Third Party Complaint (the "Stern Dismissal Motion") which appears on the Court's docket as entries 118 and 119; and

WHEREAS, on June 9, 2008 Defendants/Crossclaim Defendants Ephraim Frenkel and Land Title Associates Escrow made a motion to dismiss the Amended Third Party Complaint (collectively with the Stern Dismissal Motion, the "Dismissal Motions") which appears on the Court's docket as entries 116 and 117; and

WHEREAS, the parties wish to agree upon a schedule for briefing of the Dismissal Motions; and

WHEREAS, this is the first request to set a briefing schedule on the Dismissal Motions that deviates from the time periods set forth in Rule 6.1 of the Local Rules for the Southern and Eastern Districts of New York;

IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

- (a) Answering papers, if any, on the Dismissal Motions shall be served and filed on or before July 11, 2008;
- (b) Reply papers, if any, on the Dismissal Motions shall be served and filed on or before July 25, 2008; and
- (c) This stipulation may be executed in counterparts.

Dated: New York, New York
June __, 2008

HOFFINGER STERN & ROSS, LLP

By: _____
Stephen R. Stern

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Republic Group Realty LLC, Ephraim
Frenkel and Land Title Associates Escrow*

KAYE SCHOLER LLP

By: Michael Lynn
Michael Lynn

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*Attorneys for Defendants Moses Stern and
First Republic Group Realty LLC*

SO ORDERED:

U.S.D.J.

FLEMMING ZULACK WILLIAMSON
ZAUDERER LLP
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Jean Marie Hackett


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Attorneys for Defendant Joshua Safrin

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Dated: New York, New York
June 11, 2008

HOFFINGER STERN & ROSS, LLP

By: 
Stephen R. Stern

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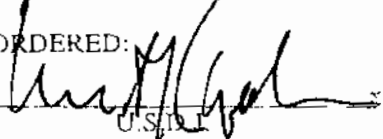
*Attorney for Defendants Mark Stern, First
Republic Group Realty LLC, Ephraim
Frenkel and Land Title Associates Escrow*

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SO ORDERED:


U.S.D.C.

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